

FORM PTO-1390 (Modified)
(REV 5-93)

U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

025835-0104

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
10/088,920

| | | |
|-------------------------------|---------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
| PCT/JP01/06619 | 08/01/2001 | 08/01/2000 |

TITLE OF INVENTION
NOVEL CARBONYL REDUCTASE, GENE THEREOF AND METHOD OF USING THE SAME

APPLICANT(S) FOR DO/EO/US

Noriyuki KIZAKI, Yoshihiko YASOHARA, and Junzo HASEGAWA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - is transmitted herewith (required only if not transmitted by the International Bureau).
 - has been transmitted by the International Bureau.
 - is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - are transmitted herewith (required only if not transmitted by the International Bureau).
 - have been transmitted by the International Bureau.
 - have not been made; however, the time limit for making such amendments has NOT expired.
 - have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. Applicant claims small entity status under 37 CFR 1.27.

Items 12. to 17. below concern other document(s) or information included:

12. An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO/SB/08 and copy of International Search Report
13. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. A FIRST preliminary amendment.
 A SECOND or SUBSEQUENT preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter
17. Other items or information: Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 page); Statement to Support Filing and Submission in Accordance with 37 CFR §§ 1.821-1.825 (2 pages); Sequence Listing (6 pages); Computer Readable Format (CRF) of Sequence Listing; Amendment in Response to Notice under 37 CFR §§ 1.821 – 1.825 (3 pages); Return copy of Notification of Missing Requirements (2 pages).

| | | | | | | | |
|--|--|---|-----------------|--|------------------------------|---|--------------|
| U.S. APPLICATION NO (If known, see 37 C.F.R. 1.50 10/088,920 | | INTERNATIONAL APPLICATION NO. PCT/JP01/06619 | | | | ATTORNEY'S DOCKET NUMBER 025835-0104 | |
| 18. <input type="checkbox"/> The following fees are submitted: | | | | | | CALCULATIONS | PTO USE ONLY |
| Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO \$890.00 | | | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) \$710.00 | | | | | | | |
| No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$740.00 | | | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 | | | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00 | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | | | \$0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e)) | | | | | | | |
| Claims | Number Filed | Included in Basic Fee | Extra Claims | | Rate | | |
| Total Claims | 0 | - | 20 | = 0 | < \$18.00 | \$0.00 | |
| Independent Claims | 0 | - | 3 | = 0 | < \$84.00 | \$0.00 | |
| Multiple dependent claim(s) (if applicable) | | | | | | \$280.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | | \$0.00 | |
| Reduction by ½ for filing by small entity, if applicable. | | | | | | \$0.00 | |
| SUBTOTAL = | | | | | | \$0.00 | |
| Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)) | | | | | | + \$0.00 | |
| TOTAL NATIONAL FEE = | | | | | | \$0.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | | | + \$40.00 | |
| TOTAL FEES ENCLOSED = | | | | | | \$0.00 | |
| | | | | | Amount to be: refunded \$ | | |
| | | | | | charged \$ | | |
| a. <input type="checkbox"/> | A check in the amount of \$0.00 to cover the above fees is enclosed. | | | | | | |
| b. <input type="checkbox"/> | Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed. | | | | | | |
| c. <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed. | | | | | | |
| NOTE. Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status | | | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | | | |
| Foley & Lardner Customer Number: 22428 | | | | SIGNATURE  | | | |
|  | | | | NAME HAROLD C. WEGNER | | | |
| 22428 | | | | REGISTRATION NUMBER 25,258 | | | |
| PATENT TRADEMARK OFFICE | | | | | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noriyuki KIZAKI et al.

Title: NOVEL CARBONYL REDUCTASE, GENE THEREFOR,
AND METHOD OF USING THE SAME

Appl. No.: 10/088,920

Filing Date: 06/03/2002

Examiner: Unassigned

Art Unit: Unassigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements mailed on May 29, 2002, enclosed are copies of the Sequence Listing and Statement to Support Filing and Submission in accordance with 37 C.F.R. §§ 1.821-1.825. Also enclosed is a diskette containing the Sequence Listing in computer readable form and an Amendment directing entry of the sequence listing into the application.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 24, 2002

By _____

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5407
Facsimile: (202) 672-5399

Harold C. Wegner
Attorney for Applicants
Registration No. 25,258



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box P.O.
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|-------------------------------|-----------------------|------------------------------|
| U.S. APPLICATION NUMBER NO | FIRST NAMED APPLICANT | ATTY. DOCKET NO |
| 10/088,920 | Noriyuki Kizaki | 025835-0104 |
| | | INTERNATIONAL APPLICATION NO |
| | | PCT/JP01/06619 |
| I.A. FILING DATE | | PRIORITY DATE |
| 01/08/2001 | | 01/08/2000 |
| CONFIRMATION NO. 8913 | | |
| 371 FORMALITIES LETTER | | |
| *OC00000008162373* | | |

Date Mailed: 05/29/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the

requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO | INTERNATIONAL APPLICATION NO | ATTY DOCKET NO |
|----------------------------|------------------------------|----------------|
| 10/088,920 | PCT/JP01/06619 | 025835-0104 |

FORM PCT/DO/EO/905 (371 Formalities Notice)